Two Speeches.

6

I. The Earl of *Shaftsbury's* Speech in the Houſe of Lords the 20*th.* of *October*, 1675.

II. The D. of *Buckinghams* Speech in the Houſe of Lords the 16*th.* of *November* 1675.

Together with the Proteſtation, and Reaſons of ſeveral Lords for the Diſſolution of this Parliament; Entred in the Lords Journal the day the Parliament was Prorogued, *Nov.* 22*d.* 1675.

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The Reader is desired, before he reads this Book, to correct these following Errata's which have escaped the Press through hast.

PAge 1. l. 17. for have r. hear, p. 2. l. 20. for *persecuted* r. *prosecuted*, p. 3. l. 12 r. *of greatest dependance*, l. 18. r. *Lords may think*, l. 26. for *your* r. *our*, p. 4. l. 17. for *quarrells* r. *Laws*, *and*, p. 5. l. 9. for *have they* r. *they have*, l. 17. r. *your Judicature*, l. 25. for *tends* r. *leads*, l. 35. for *raise* r. *pass*, p. 6. l. 2. r. *and when*, l. 6. for *out* r. *on*, l. 11. for *worst* r. *right*, l. 30. r. declare, p. 7. l. 9. for *and* r. *nor*, l. 16. r. *those in Absolute Monarchies*, l. 17. r. *servile and low*, l. 25. r. *and the People*, l. 37. for Common r. Commission, p. 8. l. 14. r. *for all this*, l. 15. cross out Sir *Jer. Whitchcot* and the *Book-sellers*, l. 17. for *your* r. *our*, l. 24. r. *and the disingagement*, p. 9. l. 1. for *your* r. *our*, l. 17. r. *by Scituation*, p. 13. l 22. for *Natino* r. *Notion*, p. 16. l. 16. for *Ld. Mahum* r. *Ld. Mohun.*

The Earl of Shaftsburys *Speech in the Houſe of Lords, upon the Debate of appointing a day for the hearing Dr.* Shirleys *Cauſe, the* 20th *of* October, 1675.

My Lords,

OUr All is at Stake, and therefore You muſt give me leave to ſpeak freely before We part with it. My Lord Biſhop of *Salisbury* is of Opinion, *that we ſhould rather appoint a day to conſider what to do upon the Petition; then to appoint a day of hearing*: And my *Lord Keeper*, for I may name them at a Committee of the whole Houſe tell's Us in very Eloquent and Studied Language. *That he will Propoſe Us a way far leſs lyable to Exception, and much leſs Offenſive and Injurious to our own Priviledges, then that of appointing a day of Hearing.* And I beſeech Your Lordſhips, did you not after all theſe fine Words expect ſome Admirable Propoſal! but it ended in this. *That Your Lordſhips ſhould appoint a day, nay a very long day to Conſider what You would do in it*: And my Lord hath undertaken to convince you, that this is Your only Courſe by ſeveral undenyable Reaſons; the firſt of which is: *That 'tis againſt your Judicature to hear this Cauſe which is not proper before Us, nor ought to be relieved by Us.* To this my Lords give me leave to Anſwer, that I did not expect from a man Profeſſing the Law; that after an Anſwer by Orders of the Court was put in, and a day had been appointed for Hearing, which by ſome Accident was ſet aſide, and the Plaintiffe moving for a ſecond day to be aſſigned that ever without hearing Counſel on both ſides; the Court did enter into the Merits of the Cauſe. And if your Lordſhips ſhould do it here

here in a Cauſe attended with the Circumſtances this is, it would not only be an apparent Injuſtice, but a plain *Subterfuge* to avoid a Point you durſt not maintain.

But my Lords ſecond Reaſon ſpeaks the Matter more clearly, for that is: *Becauſe 'tis a doubtful caſe, whether the Commons have not Priviledge*, and therefore my Lord would have You, *To appoint a farther and a very long day to conſider of it*, which in plain Engliſh is, that Your Lordſhips ſhould confeſs upon Your Books, that you conceive it on ſecond Thoughts a doubtful Caſe, for ſo Your *Appointing a day to Conſider* will do, and that for no other Reaſon, but becauſe my Lord *Keeper* thinks it ſo, which I hope will not be a Reaſon to prevail with Your Lordſhips; ſince we cannot yet by experience tell that his Lordſhip is capable of thinking Your Lordſhips in the Right, in any Matter againſt the *Judgement* of the *Houſe of Commons*; 'tis ſo hard a thing even for the ableſt of men to change ill Habits.

But my Lords third Reaſon, is the moſt Admirable of all which he Stiles *Unanſwerable*, viz. *That Your Lordſhips are all convinced in Your Conſciences that this (if proſecuted) will cauſe a Breach.* I beſeech Your Lordſhips, conſider whether this Argument thus applyed would not overthrow the Law of Nature, and all the Laws of Right and Property in the World: For 'tis an Argument, and a very good one, that You ſhould not ſtand or inſiſt on Claims, where You have not a clear Right; or where the Queſtion is not of Conſequence and of Moment, in a Matter that may produce a Dangerous Pernitious Breach between Relations, Perſons, Bodies politick joyn'd in Intereſt, and High Concerns together. So on the other hand, if the Obſtinacy of the Party in the wrong, ſhall be made an unanſwerable Argument for the other Party to recede and give up his juſt Rights. How long ſhall the People keep their Liberties, or the Princes or Governours of the World their Prerogatives! How long ſhall the Husband maintain his dominion, or any man his Property from his Friend, or his Neighbours Obſtinacy? But my Lords when I hear my Lord *Keeper* open ſo Eloquently *the Fatal Conſequences of a Breach*: I cannot forbear

to fall into some admiration how it comes to pass: That (if the *Consequences be so fatall*) the Kings Ministers in the House of *Commons*, of which there are several that are of the *Cabinet*, and have dayly resort to His *Majesty*, and have the Direction and Trust of his Affaires: I say that none of these should press these Consequences there, or give the least stop to the Carreer of that House in this Business; but that all the Votes concerning this Affair, nay even that very Vote, *That no Appeal from any Court of Equity is cognisable by the House of Lords*, should pass *nemine contradicente*. And yet all the great Ministers with us here, the *Bishops* and other *Lords* of greatest dependance on the Court contend this point, as if it were *pro Aris & focis*. I hear His *Majesty* in *Scotland* hath been pleased to declare against *Appeals in Parliament*, I cannot much blame the Court if they think (the *Lord Keeper*, and the *Judges* being of the *Kings* Naming, and in His Power to change) that the Justice of the Nation is safe enough, and I my *Lords*, may think so too, during this *Kings* time, though I hear *Scotland* not without reason complain already: Yet how future *Princes* may use this Power, and how *Judges* may be made not men of Ability or Integrity, but men of Relation and Dependance, and who will do what they are commanded; and all mens Causes come to be Judged, and Estates disposed on as Great Men at Court please.

My *Lords*, the Constitution of Your Government hath provided better for Us, and I can never believe so Wise a Body as the *House of Commons*, will prove that Foolish woman, which plucks down her House with her hands.

My *Lords*, I must presume in the next place to say somthing to what was offered by my *Lord Bishop of Salsbury*, a man of Great Learning and Abilities, and always versed in a stronger and closer way of Reasoning, then the Business of that Noble *Lord* I answered before did accustome him too, and that Reverend *Prelate* hath stated the Matter very fair upon two Heads.

The first, *whether the hearing of Causes and Appeals, and especially in this Point where the Members have priviledge,*

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be ſo Material to us, that it ought not to give way to the Reaſon of State, of greater Affairs that preſſed us at the time.

The ſecond was, *If this Buſineſs be of that Moment, yet whether the appointing a day to conſider of this Petition; would prove of that conſequence, and prejudice to your Cauſe.*

My *Lords*, to theſe give me leave in the firſt place to ſay, that this Matter is no leſs then Your whole *Judicature*, and Your *Judicature* is the life and ſoul of the Dignity of the *Peerage of England*, you will quickly grow burdenſome, if you grow uſeleſs, you have now the greateſt and moſt uſeful end of *Parliament* principally in you, which is not to make new Laws but to redreſs Grievances, and to Maintain the Old Land-Marks. The *Houſe of Commons* Buſineſs is to complain, Your *Lordſhips* to redreſs, not only the Complaints from them that are the Eyes of the Nation, but all other particular perſons that addreſs to You. A Land may Groan under a Multitude of ~~Quarrels~~ I believe Ours does, and when Laws grow ſo multiplyed, they prove oftner Snares, then Directions and Security to the People. I look upon it as the ignorance and weakneſs of the latter Age, if not worſe, the effect of the Deſignes of ill men; that it is grown a general opinion, that where there is not a particular direction in ſome *Act of Parliament* the Law is defective, as if the *Common Law* had not provided much better, Shorter, and Plainer for the Peace and Quiet of the Nation then intricate, long, and perplexed *Statutes* do: which has made Work for the *Lawyers*, given power to the *Judges*, leſſened Your Lordſhips Power, and in a good meaſure unhinged the ſecurity of the People. Lawes

My *Lord Biſhop* tells You, *That Your whole Judicature is not in queſtion, but only the priviledge of the Houſe of Commons, of their Members not appearing at Your Barr*: My Lords, were it ~~not~~ no more, yet *that* for Juſtice and the Peoples ſake You ought not to part with: How far a Priviledge of a *Houſe of Commons*, their Servants and thoſe they own, doth extend *Weſtminſter Hall*, may with Griefe tell Your *Lordſhips*. And the ſame Priviledge of their Members being not ſued, muſt be allowed by Your *Lordſhips*, as well, and what a failer of

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Juſtice this would prove whilſt they are *Lords* for life, and you for Inheritance, let the World Judge; for my part I am willing to come to Conference when ever the Diſpute ſhall begin again, and dare undertake to your *Lordſhips*, that they have neither Preſident, Reaſon, nor any Juſtifiable pretence to ſhow againſt us; and therefore my *Lords*, if you part with this undoubted Right meerly for the asking, where will the asking ſtop! And my *Lords*, we are ſure it doth not ſtop here, for have they already *nemine Contradicente*! Voted againſt *Your Lordſhips power of Appeals from any Court of Equity*! ſo that you may plainly ſee where this Caution and reaſon of State means to ſtop, not one jot ſhort of laying your whole Judicature aſide, for the ſame reaſon of paſſing the Kings Money, of not interrupting good Laws, or what ever elſe muſt of neceſſity avoid all Breach upon what ſcore ſoever: And your *Lordſhips* plainly ſee the Breach will be as well made upon your Judicature in general as upon this, ſo that when your *Lordſhips* have appointed a day; a very long day, or to conſider whether Dr. *Shirleys* Cauſe be not too hot to handle. And when you have done the ſame for Sir *Nicholas Stanton* whoſe Petition I here is coming in, your *Lordſhips* muſt proceed to a Vote *to lay all private Buſineſs aſide for ſix Weeks*, for that Phraſe of private Buſineſs hath obtained upon this laſt Age, upon that which is your moſt publique Duty and Buſineſs; namely the Adminiſtration of Juſtice. And I can tell your *Lordſhips*, beſides the reaſon that tends to it, that I have ſome intelligence of the deſigning ſuch a Vote: For on the ſecond day of your ſitting, at the riſing of the *Lords Houſe* there came a Gentleman into the Lobby belonging to a very great Perſon, and askt in great haſte *are the Lords up? have they paſſed the Vote?* and being ask't what Vote? He anſwered *the Vote of no Private Buſineſs for ſix Weeks.*

My *Lords*, if this be your Buſineſs, ſee where you are, if ye are to Poſtpone our Judicature for fear of offending the *Houſe of Commons* for ſix Weeks; that they in the *interim* may paſſe the *Money*, and other acceptable Bills that His *Majeſty* thinks of Importance; are ſo many wiſe men in the

House of *Commons* to be laid asleep, and to pass all these acceptable things; and when they have done, to let us to be let look upon them.

Will they not remember this next time there is want of *Money*, or may not they rather be assured by those Ministers that are amongst them, and go on so unanimously with them that the *King* is on their side in this Controversie, and when the publique Businesses are over, our time shall be to retort to make a Breach or vindicate our selves in the Matter? And then I beg your *Lordships* where are you; after you have asserted but the last *Session* your ~~worst~~ right of Judicature, so highly even in this Point, and after the *House of Commons* had gone so high against you on the other hand, as to post up their *Declaration* and *Remonstrances* on *Westminster Hall Doors*, the very next *Session* after you postpone the very same Causes, and not only those, but all Judicatures whatever. I beseech your *Lordships*, will not this prove a fatal president and confession against your selves? 'Tis a Maxim, and a rational one amongst Lawyers, *that one President where the Case hath been Contested, is worth a* 1000 *where there hath been no Contest*: My Lords, in saying this I humbly suppose I have given a sufficient answer to my *Lord Bishops* second Question; *Whether the appointing a day to consider what you will do with this Petition be of that consequence to your right*, for it is a plain confession, that it is a doubtful Case, and that infinitely stronger then if it were a new thing to you never heard of before; For it is the very same *Case*, and the very same thing desired in that *Case*, that you formerly ordered and so strongly asserted; so that upon time, and all the deliberation imaginable, you declare your selves to become doubtful, and you put your selves out of your own hands, into that power that you have no reason to believe on your side in this Question.

My Lords, I have all the duty imaginable to his *Majesty*, and should withall submission give way to any thing that he should think of Importance to his affairs: But in this Point it is to alter the constitution of the *Government*, if you are ask't to lay this aside; And there is no reason of

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can be an Argument to your *Lordships* to turn your selves out of that Interest you have in the constitution of the *Government*, 'tis not only your concern that you maintain your selves in't, but 'tis the concern of the Poorest man in *England* that you keep your Station: 'Tis your *Lordships* concern, and that so highly, that I will be bold to say the *King* can give none of you a requital or recompence for it, what are empty Titles? What is present Power, or Riches and a great Estate, wherein I have no firme and fixed property? 'Tis the constitution of the *Government* and Maintaining it that secures your *Lordships* and every man else in what he hath: The Poorest Lord, if the Birthright of the *Peerage* be maintained, has a Fair Prospect before him for himself or his Posterity: But the greatest Title with the greatest present Power and Riches, is but a mean creature, and maintains those absolute *Monarchyes* no otherwise then by servile low flatteries and upon uncertain terms.

My Lords, 'Tis not only your Interest, but the Interest of the Nation that you Maintain your Rights, for let the *House of Commons* and *Gentry* of *England* think what they please, there is no *Prince* that ever governed without *Nobility* or an *Army*: if you will not have one; you must have t'other, or the *Monarchy* cannot long support, or keep it self from tumbling into a *Democratical Republique*. Your *Lordships* and people have the same cause, and the same Enemies. My Lords, would you be in favour with the King? 'Tis a very ill way to it, to put your selves out of a future capacity, to be considerable in his service: I do not find in Story, or in Modern Experience, but that 'tis better, and a man is much more regarded that is in a capacity and opportunity to serve, then he that hath wholly deprived himself of all for his *Princes* service: And I therefore declare that I will serve my *Prince* as a *Peer*, but will not destroy the *Peerage* to serve him.

My *Lords*, I have heard of 20. fooliſh Modells and Expedients to secure the Justice of the Nation, and yet to take this Right from your *Lordships* as the *King* by his *Commission* appointing *Commoners* to hear *Appeals*; or that the twelve

Judges should be the persons, or that persons should be appointed by Act of Parliament, which are all not only to take away your *Lordships* just Right, that ought not to be altred any more then any other part of the *Government*, but are in themselves when well weighed Ridiculous. I must deal freely with your *Lordships*, these things could never have risen in mens minds, but that there has been some kind of Provocation that has given the first rise of it: Pray my Lords forgive me, if on this occasion I put you in mind of *Committee Dinners*, and the Scandal of it, those Droves of Ladies that attended all Causes; 'twas come to that pass, that men even Hired or Borrowed of their Friends handsom Sisters or Daughters to deliver their Petitions: But yet for all this I must say, that your Judgments have been Sacred, unless in one or two Causes, ~~*Sir or Whitehootes*, the Booksellers~~, and those we owe most to that Bench; from whence we now apprehend most danger.

There is one thing I had almost forgot to speak to, *Which is the Conjuncture of time, the Hinge upon which your reason of State turns*; and to that my Lords give me leave to say, if this be not a time of Leisure for you to vindicate your Priviledges, you must never expect one: I could almost say that the Harmony, good Agreement, and Concord that is to be prayed for at most other times, may be fatall to us now, we owe the Peace of this last two years, e the disingagement from the *French* interest to the two Houses differing from the Sense and Opinion of *Whitehall*, so at this time, the thing in the World this Nation hath most reason to apprehend, is a General Peace, which cannot now happen without very advantagious Terms to the *French*, and Disadvantagious to the House of *Austria*: We are the Kings great Counsellors and if so, have Right to differ, and give contrary Councels to these few are nearest about him, I fear they would advance a General Peace, I'me sure I would advise against it, and hinder it at this time by all the ways imaginable: I heartily wish nothing from you may add weight and reputation to those Councels would assist the *French*. No Money for Ships, nor Preparation you can

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make, nor Personal assurances your Prince can have, can secure us from the *French* if they are at leisure, he is grown the most Potent of us all at *Sea*: He has Built 24. Ships this last year; and has 30. more in number then we besides the advantage that our Ships are all out of Order, and his so exquisitely provided for, that every Ship has his particular Store-house. 'Tis incredible the Money he hath, and is bestowing in making Harbors, he makes nature it self give way to the vastness of his Expence: And after all this shall a Prince so Wise, so intent upon his affairs, be thought to make all these preparations to Saile over Land, and fall on the back of *Hungary*, and Batter the Walls of *Kaminit'z*, or is it possible he should oversee his Interest in seizing of *Ireland*, a thing so feasible to him, if he be master of the Seas, as he certainly now is; and which when attained gives him all the *Southern, Mediteranian, East and West India Trade*, and renders him both Scituation and excellent Harbors, perpetual Master of the Seas without Dispute.

My Lords to, conelude this point, I fear the Court of *England* is greatly mistaken in it, and I do not wish them the reputation of the concurrance of the Kingdom: And this out of the most sincere Loyalty to his Majesty, and love to my Nation.

My Lords, I have but one thing more to trouble you with, and that peradventure is a consideration of the greatest weight and concern, both to your Lordships, and the whole Nation. I have often seen in this House, that the Arguments, with strongest reason, and most convincing to the Lay Lords in General, have not had the same effect upon the Bishops Bench; but that they have unanimously gone against us in matters, that many of us have thought Essential and undoubted Rights; And I consider, that 'tis not possible, that Men of great Learning, Piety, and Reason, as their Lordships are, should not have the same care of doing right, and the same conviction, what is right upon clear reason offered, that other your Lordships have. And therefore, my Lords, I must necessarily think, we differ in principles; And then 'tis very easie to apprehend what is

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the cleareſt ſenſe to men of my principle, may not at all perſwade or affect the Conſcience of the beſt man of a different one. I put your Lordſhips the caſe plainly, as 'tis now before us. My principle is, *That the King is King by Law, and by the ſame Law that the poor Man enjoys his Cottage*; and ſo it becomes the concern of every man in *England*, that has but his liberty, to maintain and defend, to his utmoſt, the King in all his Rights and Prerogatives. My Principle is alſo, *That the Lords Houſe, and the Judicature and Rights belonging to it, are an Eſſential part of the Government*, and Eſtabliſhed by the ſame Law; The King governing and adminiſtring Juſtice by His Houſe of Lords, and adviſing with both His Houſes of Parliament in all important matters, is the Government I own, am born under, and am obliged to. If ever there ſhould happen in future ages (which God forbid) a King governing by an Army, without His Parliament, 'tis a Government I own not, am not obliged to, nor was born under. According to this Principle, every honeſt man that holds it, muſt endeavour equally to preſerve the frame of the Government, in all the parts of it, and cannot ſatisfie his Conſcience to give up the Lords Houſe for the Service of the Crown, or to take away the juſt rights and priviledges of the Houſe of Commons to pleaſe the Lords. But there is another Principle got into the World, my Lords, that hath not been long there; for Arch-Biſhop *Laud* was the firſt Author that I remember of it: And I cannot find, that the Jeſuites, or indeed the Popiſh Clergy hath ever own'd it, but ſome of the Epiſcopal Clergy of our *Britiſh Iſles*; and 'tis withal, (as 'tis new) ſo the moſt dangerous deſtructive Doctrine to our Government and Law, that ever was. 'Tis the firſt of the Cannons publiſhed by the Convocation, 1640. *That Monarchy is of Divine Right*. This Doctrine was then preached up, and maintained by *Sibthorp*, *Manwaring*, and others, and of later years, by a Book publiſhed by Dr. *Sanderſon*, *Biſhop of Lincoln*, under the name of *Arch-Biſhop Uſher*; and how much it is ſpread amongſt our Dignified Clergy, is very eaſily known. We all agree, *That the King and His*

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Government, is to be obeyed for Conſcience ſake; and that the Divine Precepts, require not onely here, but in all parts of the World, *Obedience to Lawful Governours.* But that this Family are our Kings, and this particular frame of Government, is our lawful Conſtitution, and obliges us, is owing onely to the particular Laws of our Country. This *Laudean* Doctrine was the root that produced the *Bill of Teſt* laſt *Seſſion*, and ſome very perplexed Oaths that are of the ſame nature with that, and yet impoſed by ſeveral *Acts of this Parliament.*

In a word, if this Doctrine be true, our *Magna Charta* is of no force, our Laws are but Rules amongſt our ſelves during the Kings pleaſure. Monarchy, if of Divine Right, cannot be bounded or limited by humane Laws, nay, whats more, cannot bind it ſelf; and All our Claims of right by the Law, or Conſtitution of the Government, All the Juriſdiction and Priviledge of this Houſe, All the Rights and Priviledges of the Houſe of Commons, All the Properties and Liberties of the People, are to give way, not onely to the intereſt, but the will and pleaſure of the Crown. And the beſt and worthyeſt of Men, holding this principle, muſt Vote to deliver up all we have, not onely when reaſon of State, and the ſeparate Intereſt of the Crown require it, but when the will and pleaſure of the King is known, would have it ſo. For that muſt be, to a man of that principle. the onely rule and meaſure of Right and Juſtice. Therefore, my Lords, you ſee how neceſſary it is, that our Principles be known, and how fatal to us all it is, that this Principle ſhould he ſuffered to ſpread any further.

My Lords, to conclude, your Lordſhips have ſeen of what conſequence this matter is to you, and that the appointing a day to conſider, is no leſs then declaring your ſelves doubtful, upon ſecond and deliberate thoughts, that you put your ſelves out of your own hands, into a more then a moral probability, of having this Seſſion made a preſident againſt you. You ſee your Duty to your ſelves and the People; and that 'tis really not the intereſt of the *Houſe of Commons*, but may be the inclination of the Court,

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that you looſe the Power of Appeals; but I beg our Houſe may not be *Felo de ſe*, but that your Lordſhips would take in this affair, the onely courſe to preſerve your ſelves, and appoint a day, this day 3 weeks, for the hearing Dr. *Sherleys* Cauſe, which is my humble motion.

FINIS.

The Duke of Buckinghams *Speech in the House of Lords*, November 16. 1675.

My Lords,

THere is a thing called *Property*, (whatever ſome men may think) *that* the People of *England* are fondeſt *of*. It is *that* they will never part with, and it is *that* His *Majeſty* in his *Speech* has promiſed to take particular care of. *This*, my Lords, in my opinion, can never be done, without an *Indulgence to all Proteſtant diſſenters*.

It is certainly a very uneaſie kind of life to any man, that has either Chriſtian Charity, Good Nature, or Humanity, to ſee his fellow *Subjects* daily abuſed, diveſted of their *Liberties* and *Birth-rights*, and miſerably thrown out of their *Poſſeſſions* and *Free-holds*, only becauſe they cannot agree with others in ſome *Opinions* and *Niceties* of *Religion*, which their Conſciences will not give them leave to conſent to, and, which even by the conſent of thoſe who would impoſe them, are no way neceſſary to Salvation.

But my *Lords*, beſides this, and all that may be ſaid upon it, in order to the improvement of our *Trade*, and the increaſe of the *Wealth*, *Strength*, and *Greatneſs* of this *Nation* (which with your leave I ſhall preſume to diſcourſe of at ſome other time) there is methinks in this Nation of *perſecution*, a very groſs miſtake, both as to the point of *Government* and *Religion*.

There is ſo; as to the point of *Government*, becauſe it makes every mans ſafety depend upon the wrong place, not upon the *Governors*, or mans living well towards the Civil *Government*, eſtabliſhed by *Law*; but upon his being tranſported with Zeal for every opinion that's held by thoſe that have power in the *Church* that's in faſhion.

And I perceive it's a miſtake in *Religion*, for that it is poſitively againſt the expreſs *Doctrine* and *Example* of *Jeſus Chriſt*; Nay, my *Lords*, as to our *Proteſtant Religion*, there is ſomething yet worſe; for we *Proteſtants* maintain, that none of theſe *Opinions* which Chriſtians here differ about, are *Infallible*; and therefore in us it is ſomewhat an inexcuſable conception, that men ought to be deprived of their Inheritance, and all their certain conveniencies and advantages of Life, becauſe they will not agree with us in our uncertain *Opinions* of *Religion*.

My humble motion to your *Lordſhips* therefore is, That you will give me leave to bring in *A Bill of Indulgence to all diſſenting Proteſtants*. I know very well, that every *Peer* of this *Realm* has a right to bring into *Parliament* any *Bill* which he conceives to be uſeful to this Nation. But I thought it more reſpectful to your *Lordſhips* to ask your leave for it before; and I cannot think that doing of it, will be any prejudice to the *Bill*, becauſe I am confident, the *Reaſon*, the *Prudence*, and the *charitableneſs* of it, will be able to juſtifie it to this *Houſe*, and the *whole world*.

[*Accordingly the Houſe gave the Duke leave to bring in a Bill.*

A List of the Lords who were present at the Vote for an Addreſs to the King for Diſſolving the Parliament, November the 20th. 1675.

For the Addreſs.	Againſt the Addreſs.
His Royal Highneſs	Ld. Keeper
D. of Buckingham	Ld. Treaſurer
M. Wincheſter	Ld. Privy Seale
E. Marſhall, E. Norwich	Ld, Great Chamberlaine
E. Kent	E. Northampton
E. Dorſett	E. Briſtoll
E. Salisbury	E. Bath
E. Bridgwater	E. Craven
E. Weſtmerland	E, Alisbury
E. Bullingbrooke	E, Gilford, D. Lauderdale
E. Cheſterfield	Ld. Windſor
E. Stamford	Ld. Pawlett
E. Peterborough	Ld. Maynard
E. Mancheſter	Ld. Howard of Eſtcreck
E. Berkes	Ld. Byron
E. Mulgrave	Ld. Lucas.
E. Scarſdale	Ld. Vaughan, E. Carbery
E. Sunderland	Ld. Gerrard
E. Clarendon	Ld. Frechvill.
E. Eſſex	Ld. Butler, E. of Oſſery
E. Cardigan	Ld, Arundell of Trerice

For the Addreſs.

E. Shaftesbury
E. Powys
Vic. Fauconberg
Vic. Halliſax
Vic. Yarmouth
Vic. Newport
Ld. Sandys
Ld. Morley
Ld. Sturton
Ld. Wharton
Ld, Peter
Ld: Arundell of Warder
Ld. Lovelace
Ld. Tenham
Ld. Mohune
Ld. Bellaſis
Ld. Carington
Ld. Delamere
Ld. Townſend
Ld. Grey of Rolſton
Theſe Lords preſent 41 gave gave 7 Proxies.
48

Lords abſent and ſick that gave proxies for this queſtion.

E. Denbeigh
Ld. Hollis

Other Lords abſent that were for this Addreſs.

E. Bedford
E. Burlington
Ld. Fitzwalter
Ld. Ewer. And others.

Againſt the Addreſs.

21 Lay Lords

13 Biſhops, who were all that were in the Houſe.

Theſe 34 Lords gave 16 Proxies.

50.

The

The Proteſtation, with Reaſons of ſeveral Lords for the Diſſolution of this Parliament, entred in the Lords Journal, November 22. 1675. *the day the Parliament was Prorogued.*

WE whoſe names are under-written, Peers of this Realm, having propoſed, *That an humble Addreſs might be made to His Majeſty from this Houſe, that he would be graciouſly pleaſed to Diſſolve this Parliament*: And the Houſe having carryed it in the Negative, for the Juſtification of our Loyal Intentions towards His Majeſties Service, and of our true reſpect and deference to this Honourable Houſe; and to ſhew that we had no ſiniſter or indirect Ends in this our humble propoſal, Do with all humility herein, ſet forth the grounds and reaſons why we were of opinion that the ſaid *humble Addreſs* ſhould have been made.

1. We do humbly conceive, that it is according to the ancient Laws and Statutes of this Realm, that there ſhould be frequent and new Parliaments, and that the practice of ſeveral years, hath been accordingly.

2. It ſeems not reaſonable; that any particular number of Men, ſhould for many years, ingroſs ſo great a truſt of the People, as to be their Repreſentatives in the Houſe of Commons: And all other the Gentry and the Members of Corporations of the ſame degree and quality with them, ſhould be ſo long excluded. Neither, as we humbly conceive, is it advantagious to the Government; that the Counties, Cities and Burroughs, ſhould be confined for ſo long a time to ſuch Members as they have once choſen to ſerve for them. The mutual correſpondence and intereſts of thoſe who chooſe and are choſen, admitting of great variations in length of time.

3. The long continuance of any ſuch as are intruſted for others, and who have ſo great a power over the purſe of the Nation, muſt in our humble opinion, naturally endanger the producing of Factions and Parties, and the carrying on

of

of particular intereſts and deſigns, rather then the publick Good.

And we are the more confirmed in our deſires for the ſaid humble Addreſs, by reaſon of this unhappy breach fallen out betwixt the two Houſes of which the Houſe of Peers hath not given the leaſt occaſion; they having done nothing but what their Anceſtors and Predeceſſors have in all times done; and what is according to their duty, and for the Intereſt of the people that they ſhould do; which, notwithſtanding the Houſe of Commons have proceeded in ſuch an unprecidented and extraordinary way, that it is in our humble opinion, become altogether unpracticable for the two Houſes, as the Caſe ſtands, jointly to purſue theſe great and good ends for which they were called.

For theſe reaſons We do enter this our Proteſtation againſt, and diſſent unto, the ſaid Vote.

Buckingham	Fauconberg
Winchester	Halliſax
Salisbury	Yarmouth
Bridgwater	Newport
Dorſett	Sandys
Weſtmerland	Wharton
Cheſterfield	Peter
Stamford	Mohun
Berkes	Delamere
Clarendon	Townſend
Shaftesbury	Grey of Rolſton

Theſe were all the Lords that were in the Houſe early enough to ſign the Proteſtation before the Parliament was Prorogued.

FINIS.

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